

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Summer Pelfrey,	)	C/A No.: 0:23-6746-SAL-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	ORDER
Miller Auto and Truck Parts, Inc.,	)	
d/b/a NAPA,	)	
	)	
Defendant.	)	
	)	

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This matter comes before the court on the filing of an answer by Miller Auto and Truck Parts, Inc. (“Defendant”). Although the court has liberally construed the document as an answer, it is an unsigned letter from an individual, Ken Miller. It is well-established that a corporate entity cannot appear pro se and must be represented by counsel in court. The United States Supreme Court recognized that:

[i]t has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through licensed counsel. As the courts have recognized, the rationale for that rule applies equally to all artificial entities. Thus, save a few aberrant cases, the lower courts have uniformly held that 28 U.S.C. § 1654, providing that “parties may plead and conduct their own cases personally or by counsel,” does not allow corporations, partnerships, or associations to appear in federal court otherwise than through a licensed attorney.

*Rowland v. California Men’s Colony, Unit II Men’s Advisory Council*, 506 U.S. 194, 201–02 (1993) (internal citations and footnote omitted); *RZS*

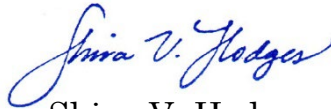
*Holdings AVV v. PDVSA Petroleo S.A.*, 506 F.3d 350, 354 n.3 (4th Cir. 2007).

While 28 U.S.C. § 1654 allows individuals to “plead and conduct their own cases personally,” the statute does not extend that right to represent other parties.

Accordingly, Defendant is directed to retain counsel by March 13, 2024. If Defendant fails to retain licensed counsel to file an entry of appearance by March 13, 2024, the undersigned will recommend that the answer be stricken and) an entry of default judgment be entered against it.

IT IS SO ORDERED.

February 22, 2024  
Columbia, South Carolina



Shiva V. Hodges  
United States Magistrate Judge